

MADISON COUNTY BOARD OF SUPERVISORS MEETING

Date: 6:00PM — Tuesday, April 26th, 2022

Location: Admin. Building Auditorium, 414 N. Main Street

MEETING #18 — April 26th

At a regular meeting (#2) of the Board of Supervisors on Tuesday, April 26th at 6:00PM in the Admin. Building Auditorium:

PRESENT: R. Clay Jackson, Chair
Carty Yowell, Vice-Chair
Charlotte Hoffman, Member
Dustin Dawson, Member
James Jewett, Member
Jonathon Weakley, County Administrator
Sean Gregg, County Attorney
Alan Berry, Deputy Clerk

ABSENT:

CALL TO ORDER, PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Chairman Jackson called the Board to order.

DETERMINE PRESENCE OF A QUORUM/ADOPTION OF AGENDA

Chairman Jackson advised that a quorum was present.

Chairman Jackson advised of the following changes to the agenda:

Special Appearances

5a. Government Day

Discussion

12. Septic Systems

Supervisor Hoffman made a motion to approve the agenda as amended, seconded by Supervisor Dawson. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

PUBLIC COMMENT

Chairman Jackson opened the floor to public comment.

Joe May: Stated that he hoped the VDOT representative would be here once a month to help deal with the problems facing the County's roads. Stated that it looked like money seemed to get spent on education and social services and needed to be sent to roadwork.

Ron Jenkins: Asked the Board move forward with making the Loggers' exemption request to the public hearing stage. Advised that farmers have had this exemption in place for years and that they have received support from the Virginia Farm Bureau and Virginia House, Senate, and previous Governor.

The County Administrator advised the Board that the Commissioner of the Revenue for the County would arrive a little late and would be the one administering the tax, so they would be the best person to asked questions to when they arrive.

Theresa Woodward: Stated that the logging business was facing unique challenges including quotes were making it hard for their small businesses. Asked the Board to remember what small businesses bring to the community.

Tina Morris: Stated that any break the Board could provide for logging families would be greatly appreciated.

Clarissa Berry: Advised the Board that the Commonwealth's Attorney's Office was awarded a \$2000 grant for training. Grant paperwork for the assistant Commonwealth's Attorney has been filed. Stated that Madison had an extensive history of logging and that the exemption would be a good way to pay respects to this heritage.

Paul Haney: Stated that loggers were suffering with gas prices and that the current tax was overburdensome on the loggers. Said that Madison was the only County that he knew of that was suffering with such a tax.

With no further public comment being brought forth, the public comment opportunity was closed.

CONSENT AGENDA

1. Approve: Minutes from 04/06/22
2. Approve: Minutes from 04/12/22
3. Supplemental: Additional Security Grant Funding

Supervisor Yowell made a motion to approve the consent agenda as presented, seconded by Supervisor Dawson. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

SPECIAL APPEARANCES

4. Victim Witness Proclamation — Clarissa Berry
- The Commonwealth's Attorney advised the Board of the Victim Witness program success and spoke in favor of the Board approving the proclamation.

Supervisor Yowell made a motion to recognize and approve the proclamation for National Crime Victims Rights Week from April 24th to April 30th, 2022, seconded by Supervisor Dawson. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

5. Older Americans Month 2022 Proclamation — Aging Together
Ellen Phipps from Aging Together was present and advised the Board of the Proclamation recognizing the contributions of older adults to the community.

Supervisor Hoffman made a motion to approve the proclamation of Older Americans Month for May, 2022, seconded by Supervisor Yowell. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

5a. Government Day

Natalee Coates was present and provided a presentation to the Board on her experiences for Government Day.

- *Supervisor Yowell: Asked what was involved with becoming a part of the Blue Ridge Virtual Governor's School.*

Ms. Coates explained that in 8th Grade, you need to fill out an application and be interviewed by the supervisors of the program for admission.

- *Supervisor Yowell: Asked if involvement in the BRVGS was for the entirety of high school.*

Ms. Coates responded that it goes from 9th grade to 12th grade.

- *Chairman Jackson: Asked Ms. Coates for a brief overview of her internship.*

Ms. Coates advised the Board that she had interned with the Sheriff's department and spent most of her time doing ridealongs. She also helped the Sheriff's Office with Drug Takeback and Trick-or-Trunk.

- *Supervisor Yowell: Asked if Ms. Coates had further interest in working in government.*

Ms. Coates responded that she did and was planning to major in criminology at Lynchburg College.

PUBLIC HEARING

6. Six-Year Secondary Road Plan

Carrie Shephard from VDOT was present and gave a short presentation to the Board on the current status of the draft Six-Year Secondary Road Plan. This included a preliminary review of Turner Drive which would allow the road to be admitted to the plan up to the narrowing of the road where VDOT would not be able to pave the road.

Chairman Jackson opened the floor to public comment for the Six-Year Secondary Road Plan public hearing.

Joe May: Asked what “stormwater management” is.

Ms. Shepherd respond that it refers to the change of a pervious surface to an impervious surface and analyzing the quality of stormwater runoff on these surfaces.

Terry Bowden: Asked the Board to consider keeping Walkers Mill Lane on the list.

Pamela Wilson: Asked for clarification on the unallocated funds and what year the monies would be put towards paving Turner Drive.

- *Chairman Jackson: Advised that work would likely begin sometime around 2030 or farther.*

Ms. Wilson further described the road situation on Turner Drive and asked if it would require the County and the homeowners where the road narrows to work together in order to get the paving extended past what was suggested earlier due to the narrowing of the road.

- *Supervisor Yowell: Asked Ms. Wilson about a section in the documents handed out that mentioned that Turner Drive had been widened before; asked if anyone remembered this occurring and could speak on it.*

Howard Turner: Said he owned the property where the buses turn around; described the safety issues for children on the road. Stated that he has no issues with buses turning around in his entrance, but would like the road to be hardened to prevent issues for him entering his property and to help the children come home in a safe manner without buses getting stuck in mud.

Whitney Larkin: Described the widening of the road around 10 years ago. Stated that VDOT told her the road be tarred and graveled but never finished the project. Stated that if the County or VDOT checked their records, they should find two projects (one for paving and one for fixing the curve).

Charles Slaughter: Stated that he would like to have Twyman’s Mill Road added to the Six-Year Plan because the road is dangerous and very narrow. Also described a storm drainage problem on his road. Stated that the swell on his road also needed attention from the state.

Denise Lynch: Stated that, approximately 15 years ago, a row of trees was removed for paving at Twyman’s Mill but the project was never completed.

Patricia Gross: Stated that she had observed accidents on Turner Drive due to the safety issues on Turner Drive. Said that she hoped the project would be completed in a timely manner.

The County Administrator advised of a call he had received from Eugene Weaver and Darlene Neff from Woodward Hollow Road. He advised of their request for the road to be added to the plan and that a small portion of the road had already been paved. They stated that the road had been added to the plan many years ago.

With no further public comment being brought forth, the public comment opportunity was closed.

- *Supervisor Jewett: Stated that he had lived in the area and that Turner Drive needed attention and definitely needed to be on the plan. Hoped that VDOT could work with the residents of Turner Drive as well as Twyman's Mill to help alleviate some of the safety issues.*

6a. Resolution #2022-6 — Resolution to Adopt the Six-Year Secondary Road Plan
Supervisor Yowell made a motion to approve Resolution #2022-6 with the addition of Turner Drive to the current draft plan priorities, seconded by Supervisor Dawson. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

OLD BUSINESS

NEW BUSINESS

7. Hoover Ridge Lease Agreement

The County Administrator advised the Board of previous leases to the property for farming purposes.

The Board agreed to hold a public hearing on the lease agreement on May 24th.

8. Tax Exemption Request — Virginia Loggers Association

The County Administrator advised the Board of the Tax Exemption Request from the Virginia Loggers Association and informed the Board that the Commissioner of the Revenue had arrived and could provide them with more information.

The Commissioner of the Revenue advised the Board that the revenue lost from exempting would probably be around \$15,000, but that the number was just an estimation on his part.

- *Supervisor Yowell: Stated that the Comprehensive Plan agreed with the exemption request from the loggers.*

- *Supervisor Jewett: Said that he believed a decision to no longer tax farm equipment was shortsighted as the real-estate taxes went up more than the offset. Said the Board needed to look at where the tax burden would be shifted.*

The County Attorney advised that the recently approved cigarette tax could be used as a way of offsetting the tax shift.

The Board agreed to hold a public hearing for the Loggers Tax Exemption request on May 24th.

9. Clore Road Abandonment

The County Administrator advised of a request from VDOT to abandon a portion of Clore Road that has not be used for some time (since 1969).

- *Supervisor Yowell: Asked if the Board would need to send a letter to all adjacent land owners.*

The County Administrator responded that they did.

The Board agreed to hold a public hearing on May 24th regarding the abandonment of Clore Road.

10. Motocross Race Temporary Event Permit Application

The County Administrator advised the Board of the permit application for the Motocross Race.

Gavin Helme advised that the plan was to have at least two ambulances present for the event.

- *Supervisor Yowell: Asked if the 1000 number included in the documentation was counting both participants and spectators.*

Mr. Lacey responded that the number was a combination of riders and spectators.

Supervisor Hoffman made a motion to approve the temporary event permit application for the Virginia Championship Air Scramble, seconded by Supervisor Dawson. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

11. Real Estate Tax Deadline Extension

The County Administrator advised the Board that the County had recently switched their tax software and that the Treasurer and Commissioner of the Revenue may need more time to get out notice for the public to respond to the County's taxes.

Supervisor Jewett made a motion to extend the real estate tax deadline for 2022 to June 17th, seconded by Supervisor Hoffman. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

INFORMATION & CORRESPONDENCE

DISCUSSION

12. Septic Systems

The County Administrator advised of a discussion he had held with VDH and wished to gather input from the Board regarding the issue of direct discharge systems in the County. Stated that there are around 11 permitted facilities regarding these systems in the County. Asked if the Board would like to explore the SUP route for these systems.

- *Supervisor Dawson: Stated that he believed the SUP process would be the most fair.*
- *Supervisor Yowell: Stated that he had talked to Danny Crigler about the issue and that he would not lean towards the SUP route.*

The County Administrator advised the Board that a hardship-based approach could also be applied if they so desired.

- *Chairman Jackson: Stated that he also believed the SUP route would be the best option and that it should be looked at on a hardship basis.*

The County Administrator advised that the Board could ask for Emily Bourdon to attend a meeting to discuss the issue with the Health Department.

The County Administrator advised that there are no cases to be heard at the next Joint Meeting and that the Planning Commission was okay with canceling their portion of the Joint Meeting.

Supervisor Yowell made a motion to cancel the May 4th Joint Meeting with the Planning Commission, seconded by Supervisor Dawson. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

PUBLIC COMMENT

Chairman Jackson opened the floor to public comment.

Chuck Jackson: Asked if Madison County was going to have an agreement tonight for the RSA matter.

The County Attorney advised that the Board did not need to disclose what would be discussed in closed session and that he was not aware of any motions in Orange County that would approve or disapprove of anything.

With no further public comment being brought forth, the public comment opportunity was closed.

CLOSED SESSION

Supervisor Yowell made a motion to convene in closed session pursuant to Virginia Code Sections:

- 2.2-3711(A)(3) for discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract; and
- 2.2-3711(A)(7) for consideration with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation

Seconded by Supervisor Hoffman. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

Supervisor Yowell made a motion to re-convene in open session, seconded by Supervisor Hoffman. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

Supervisor Yowell made a motion to certify by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A)(3) and 2.2-3711(A)(7) and that were identified in the motion to convene in closed session were heard, discussed, or considered in the closed meeting, seconded by Supervisor Hoffman. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

ADJOURN

With there being no further business to conduct, Supervisor Hoffman made a motion to adjourn, seconded by Supervisor Dawson. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*